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**ATTORNEY FOR PLAINTIFF**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**MISSOULA DIVISION**

<b>UNITED STATES OF AMERICA,</b>	<b>CR 21-43-M-DLC</b>
<b>Plaintiff,</b>	
<b>vs.</b>	<b>OFFER OF PROOF</b>
<b>LEONARD GEORGE CARLETON,</b>	
<b>Defendant.</b>	

Defendant has signed a plea agreement which contemplates his plea of guilty to the sole Count contained in the Superseding Information, which charges the crime of Possession with Intent to Distribute Methamphetamine, in violation of 21 U.S.C. § 841(a)(1). The Defendant's plea of guilty will be unconditional.

The United States presented any and all formal plea offers to the Defendant in writing. The plea agreement entered into by the parties and filed with the court represents, in the Government's view, the most favorable offer extended to the Defendant. *See Missouri v. Frye*, 132 S.Ct. 1399 (2012).

**ELEMENTS.** In order to prove the charge contained in the Superseding Information against the Defendant at trial, the United States would have to prove the following elements beyond a reasonable doubt:

First, the Defendant knowingly possessed methamphetamine;

Second, the Defendant possessed the methamphetamine with the intent to distribute it to another person; and

Third, the Defendant possessed five grams or more of actual methamphetamine.

**PROOF.** If called upon to prove this case at trial, and to provide a factual basis for the Defendant's plea, the United States would present, by way of the testimony of law enforcement officers, lay and expert witnesses, and physical evidence, the following:

A Detective with the Missoula County Sheriff's Office would testify that, on approximately May 13, 2021, in Missoula County, he supervised a controlled purchase of methamphetamine from Carleton by a Confidential Informant.

A Confidential Informant (CI #1) would testify that Carleton was a methamphetamine distributor in Montana and that s/he purchased methamphetamine directly from Carleton in the above-mentioned monitored transaction.

The U.S. Department of Justice Drug Enforcement Agency Western Laboratory completed a laboratory analysis on the methamphetamine recovered on May 13, 2021, and it was determined to be over five grams of actual methamphetamine.

DATED this 18th day of November, 2021.

LEIF M. JOHNSON  
United States Attorney

/s/ Tara J. Elliott  
Assistant U.S. Attorney  
Attorney for Plaintiff